

REMARKS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1, 3-8, and 10-15 are currently pending in the present application. No claim amendments are presented, thus, no new matter is added.

In the outstanding Office Action, Claims 1, 5-8, and 12-15 were rejected under 35 U.S.C. § 103(a) as anticipated over Krasner (U.S. Patent No. 6,064,336, herein "the '336 patent"), in view of Krasner (U.S. Patent No. 6,150,980, herein "the '980 patent"); and Claims 3-4 and 10-11 were objected to as dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants acknowledge with appreciation the indication of allowable subject matter. However, since Applicants consider that independent Claims 1 and 8 patentably define over the applied references, the remaining independent claims are presently maintained in dependent form.

With respect to the rejections under 35 U.S.C. § 103, Applicants respectfully traverse this rejection as the '980 patent fails to teach or suggest the features of independent Claims 1, 8 and 15 for which it is asserted as a secondary reference.

The present application relates to GPS positioning method and a GPS reception apparatus. In an exemplary embodiment, the apparatus receives frequency information from a standard wave to acquire a GPS signal from a satellite. The method also includes using the information from the standard wave in place of information received from the satellite to perform a positioning arithmetic operation.

Specifically, independent Claim 1 recites, *inter alia*, a GPS positioning method, comprising:

...acquiring high precision frequency information provided by a standard wave;  
measuring an oscillation frequency of a reference oscillator used in a GPS receiver section or a frequency variation of the oscillation frequency using the received high-precision frequency information...  
***performing a positioning arithmetic operation using the high precision time information in place of time information sent from said GPS satellite.***

Independent Claims 8 and 15, while directed to alternative embodiments, recite substantially similar features. Accordingly, the arguments presented below are applicable to each of independent Claims 1, 8 and 15.

As admitted in the outstanding Official Action, the '336 patent fails to teach or suggest "the steps of acquiring high precision time and performing a positioning arithmetic operation as set forth in the application claim."<sup>1</sup> In an attempt to remedy this deficiency in the '336 patent, the outstanding Official Action relies on the '980 patent.

The '980 patent describes a method of determining the time of a GPS receiver by decoding timing signals derived from a communications system (e.g., cellular) to provide accurate time information.<sup>2</sup> The timing signals in combination with satellite position signals received by the GPS receiver are used to determine the position of the GPS receiver.

The '980 patent, however, fails to teach or suggest ***performing a positioning arithmetic operation using the high precision time information in place of time information sent from said GPS satellite***, as recited in independent Claim 1.

In addressing this claimed feature, the outstanding Official Action relies on Figs. 1-2, and col. 15-35 of the '980 patent. The cited portion of the '980 patent describes receiving, at

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<sup>1</sup> Outstanding Official Action, p. 4, lines 1-3.

<sup>2</sup> The '980 patent, Abstract.

a mobile station, a cellular communications signal including a time indicator representing a time event. The received time indicator is then associated with data representing a time arrival of a GPS satellite signal, and the data representing the time arrival of the GPS signal and the time indicator from the cellular signal are used to determine the position of the mobile station. Thus, the '980 patent clearly describes that the "time arrival of the GPS satellite signal" is used to determine the position of the mobile device.

This is in clear contrast to independent Claim 1, which recites that a positioning arithmetic operation is performed *using the high precision time information in place of time information sent from said GPS satellite*. Specifically, the '980 patent describes that the cellular signal and time arrival of the GPS satellite signal are used together to determine the position of the mobile device. Therefore, the cellular signal is not used in place of time information sent from the GPS satellite, as recited in independent Claim 1.

Accordingly, neither the '336 patent, nor the '980 patent, neither alone, nor in combination teach or suggest *performing a positioning arithmetic operation using the high precision time information in place of time information sent from said GPS satellite*, as recited in independent Claim 1.

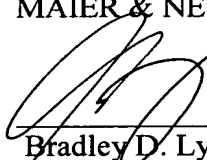
Accordingly, Applicant respectfully requests that the rejection of independent Claims 1, 8 and 15 (and the claims that depend therefrom) under 35 U.S.C. § 103(a) be withdrawn.

As Applicants have not substantively amended the claims in response to any rejection of record, should a further rejection be applied in the next Action based upon newly cited prior art, Applicants submit that such an action **cannot properly be considered a Final Office Action**.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1, 3-8 and 10-15 are patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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